

# Report of the National Type Evaluation Program (NTEP) Committee

Don L. Onwiler, Chairman  
Program Manager  
Nebraska Department of Weights and Measures

Reference  
Key Number

## 500 INTRODUCTION

The National Type Evaluation Program (NTEP) Committee (hereinafter referred to as “Committee”) submits its report for consideration by the 92<sup>nd</sup> National Conference on Weights and Measures (NCWM). This consists of the Interim Report presented in NCWM Publication 16 as amended in the Addendum Sheets issued during the Annual Meeting that was held July 8 - 12, 2007, in Salt Lake City, Utah. The Committee considered communications received prior to and during the 92<sup>nd</sup> Annual Meeting that are noted in this report.

Table A identifies the agenda items in the report by Reference Key Number, Item Title, and Page Number. The item numbers are those assigned in the Committee’s Interim Meeting Agenda. A voting item is indicated with a “**V**” after the item number or, if the item was part of the consent calendar, by the suffix “**VC**.” An item marked with an “**I**” after the reference key number is an information item. An item marked with a “**W**” was withdrawn by the Committee and generally will be referred to the regional weights and measures associations because it either needs additional development, analysis, and input or does not have sufficient Committee support to bring it before the NCWM. Table B lists the appendices to the report, and Table C provides a summary of the results of the voting on the Committee’s items and the report in entirety.

This report contains many recommendations to revise or amend National Conference on Weights and Measures (NCWM) Publication 14, Administrative Procedures, Technical Policy, Checklists, and Test Procedures or other documents. Proposed revisions to the publication(s) are shown in **bold face print** by ~~striking out~~ information to be deleted, and underlining information to be added. Requirements that are proposed to be nonretroactive are printed in *italics*.

**Note:** The policy of NIST is to use metric units of measurement in all of its publications; however, recommendations received by the NCWM technical committees have been printed in this publication as they were submitted and may, therefore, contain references to inch-pound units.

**Table A**  
**Index to Reference Key Items**

Reference Key Number	Title of Item	Page
<b>500</b>	<b>INTRODUCTION</b> .....	1
1.	Test Data Exchange Agreements .....	3
2.	NTEP Participating Laboratories and Evaluation Reports.....	4
3.	NTETC Sector Reports .....	5
4.	NTEP Participation in U.S. National Work Group on Harmonization of NIST Handbook 44, NCWM Publication 14, and OIML R 76 and R 60 .....	7
5.	Software Sector.....	7
6.	Conformity Assessment Program .....	9
7.	NTEP Certification of Residential-type Water and Vapor Meters.....	9
8.	Use of NTEP Logo .....	10
9.	NTEP Certification of Medical Scales.....	15

**Table B  
Appendices**

Appendix	Title	Page
A	NTEP Certification Mark License .....	A1
B	NTETC Grain Analyzer Sector Meeting Summary .....	B1
C	NTETC Measuring Sector Meeting Summary .....	C1
D	NTETC Weighing Sector Meeting Summary .....	D1
E	NTETC Software Sector Meeting Summary .....	E1

**Table C  
Glossary of Acronyms\***

BIML	Bureau of International Legal Metrology	IR	International Recommendation
BOD	NCWM Board of Directors	MAA	Mutual Acceptance Arrangement
CC	NTEP Certificate of Conformance	NCWM	National Conference on Weights and Measures
CD	Committee Draft <sup>1</sup>	NTETC	National Type Evaluation Technical Committee
CIML	International Committee of Legal Metrology	OIML	International Organization of Legal Metrology
CPR	Committee on Participation Review	PTB	Physikalisch-Technischen Bundesanstalt
DD	Draft Document <sup>2</sup>	R	Recommendation
DR	Draft Recommendation <sup>2</sup>	SC	Subcommittee
DV	Draft Vocabulary <sup>2</sup>	TC	Technical Committee
DoMC	Declarations of Mutual Confidence	WD	Working Document <sup>3</sup>

<sup>1</sup> CD: a draft at the stage of development within a technical committee or subcommittee; in this document, successive drafts are numbered 1 CD, 2 CD, etc.

<sup>2</sup> DD and DR: draft documents approved at the level of the technical committee or subcommittee concerned and sent to BIML for approval by CIML.

<sup>3</sup> WD: precedes the development of a CD; in this document, successive drafts are number 1 WD, 2 WD, etc.

\* Explanation of acronyms provided by OIML.

**Table D  
Voting Results**

Reference Key Number	House of State Representatives		House of Delegates		Results
	Yeas	Nays	Yeas	Nays	
500 (In its entirety) voice vote	All Yeas	No Nays	All Yeas	No Nays	Passed

---

**Details of All Items  
(In Order by Reference Key Number)**

---

## 1. Test Data Exchange Agreements

**Background/Discussion:** This item was included on the Committee's agenda in 1998 to provide an update on NTEP's work to establish bilateral and multilateral agreements. Under such agreements and arrangements, manufacturers would be able to submit their equipment to any of the participating countries for testing to OIML-recommended requirements. The resulting test data would be accepted by other participants as a basis for issuing each country's own type approval certificate. Following is a report on the three types of test data exchange agreements:

### *Mutual Acceptance Arrangement (MAA):*

**Background:** During the 2006 NCWM Interim Meeting, the full NCWM Board carefully considered this issue and the recommendation of the NTEP Committee. Significant discussion was held on this issue with the primary focus on the desire to become a utilizing member (Country B) for the DoMC that will cover OIML R 60 Load Cells. Significant comments also came from the full membership during the 2006 NCWM Interim Meeting open hearings on this issue. In addition, a very large group attended a late evening meeting on this topic. The participants in this meeting asked many important questions and demonstrated a high level of interest in the NCWM's direction regarding MAAs. The NTEP Committee acknowledges and thanks this group of participants for their significant contributions in discussing this issue.

The decision of the Board was to accept the recommendation of the NTEP Committee and indicate the intention of signing the DoMC for OIML R 60 Load Cells as a utilizing participant. The NCWM Board indicated no interest at this time in being an issuing participant for OIML R 76 "Non-automatic Weighing Instruments" (NAWI). The intent is to investigate various alternatives and determine if a laboratory can be established that will allow the NCWM to be an issuing participant in the DoMC for OIML R 76. It was clearly stated that this laboratory would have to be "viable" and that the NCWM must fully understand the effect such a signing may have on NTEP, existing NTEP labs, and our standards development process in the NCWM. It was also stated that it is not clear at this time if funding for such a laboratory is available.

The DoMC for OIML R 60 was signed by NCWM Chairman Don Onwiler at the 2006 NCWM Annual Meeting.

During the 2007 NCWM Interim Meeting, it was reported that on September 29, 2006, the International Bureau of Legal Metrology (BIML) issued a circular notifying CIML members and OIML Issuing Authorities that the first two Declarations of Mutual Confidence (DoMCs) for OIML R 60 (Load Cells) and R 76 (Non-automatic Weighing Instruments) have been officially published on the MAA pages of the OIML website ([www.oiml.org](http://www.oiml.org)). The publication is in the form of two summaries of the individual registration forms signed by each participant. Five countries signed the R 60 DoMC as both Issuing and Utilizing Participants (an 'Issuing Participant' is one that performs tests and issues certificates under the DoMC), and another eleven countries signed as only Utilizing Participants (Country B's). The United States (National Conference on Weights and Measures, Inc.) is listed as a Utilizing Participant. Seven countries signed the R 76 DoMC as both Issuing and Utilizing Participants, and another eight countries signed as only Utilizing Participants. The United States did not sign the R 76 DoMC. The complete listing can be found on the OIML website.

The NCWM and NTEP look forward to the opportunity to work with our international partners in the DoMC for OIML R 60. The NTEP director reported that NTEP is now prepared to accept OIML MAA Evaluation Reports for R 60 submitted along with an appropriate NTEP application. After review of the information contained in the OIML Evaluation Report and any additional requirements that may be required, and provided that all requirements have been met, an NTEP Certificate of Conformance (CC) will be issued.

Now that the DoMCs for R 60 and R 76 have been signed, the 'definitive' CPR is established (the NCWM is a member). All Issuing Participants of the DoMC must now issue OIML MAA Certificates for R 60 and R 76 devices, except for what are being called 'basic' (old-style) certificates that had already been applied for earlier. A

termination date for issuing 'basic' certificates was discussed at the 41<sup>st</sup> CIML meeting in Cape Town, South Africa, in October 2006 and was provisionally set for December 31, 2008. The final termination date will establish when NTEP can no longer issue 'basic' OIML certificates.

OIML TC 3/SC 5 will start revising both publication B 10-1 (MAA) and publication B 3 "OIML Certificate System for Measuring Instruments" in 2007 based on issues that have arisen and been discussed in the CPR and CIML meetings. A number of these issues were discussed at the Cape Town CIML meeting, and several MAA-related resolutions were approved at that time (see the OIML Report in the NCWM Board of Directors' Committee Report, Appendix A) since it was agreed that decisions were needed before the revision process could be completed. TC 3/SC 5 is also circulating to its members for comment and vote a Draft Guide for the application of ISO/IEC 17025 to legal metrology and a 2 CD of the OIML Guide for the application of ISO/IEC Guide 65 to legal metrology.

The BIML has also announced a new CPR and DoMC for OIML R 49 (water meters) with the 'provisional' CPR to be established by January 31, 2007. At this time, it is not anticipated the United States will take part in this CPR.

During the 2007 NCWM Annual Meeting, it was reported that the NTEP director attended the third meeting of the Committee on Performance Review (CPR) in Tsukuba, Japan on June 7 and 8, 2007. One of the agenda items focused on the change in the current policy of the MAA to permit data submitted by a manufacturer to be included in the Evaluation Report. The NTEP Committee views such data as a conflict of interest and unacceptable. The NTEP director strongly expressed this position to the attendees of that meeting. There was no consensus from the CPR to recommend a change in the current policy of not accepting manufacturer's data.

NTEP anticipates having an Evaluation Report submitted soon for a load cell evaluation conducted under the MAA R 60 DoMC.

For further information on the MAA and its implementation, please contact Mr. Steve Patoray, NTEP Director, at (828) 859-6178 or spatoray@mgmtsol.com or Dr. Charles Ehrlich at charles.ehrlich@nist.gov, at (301) 975-4834, or by fax at (301) 975-8091.

***Bilateral Agreements:*** No additional discussions have been held on this topic, pending the outcome of the MAA discussions.

***NTEP-Canada Mutual Recognition Program:*** During the 2007 NCWM Annual Meeting, it was reported that both Measurement Canada and the NTEP Labs are engaged in dialog to improve the data exchange under the Mutual Recognition Arrangement (MRA). During the recent NTEP lab meeting, an entire day was spent exchanging information regarding the current MRA for weighing devices. Several areas of improvement were identified, including initial review of new applications to establish an agreed upon test plan for the evaluation. In addition, a training session was conducted to improve the consistency of data collected by the labs. This will help improve the ability of the various labs to more consistently exchange data.

## **2. NTEP Participating Laboratories and Evaluation Reports**

At the 2007 NCWM Interim Meeting, Stephen Patoray, NTEP Director, updated the Committee on NTEP laboratory and administrative activities since October 1, 2006.

The NTEP weighing laboratories met in September 2006 before the meeting of the Weighing Sector in Annapolis. The NTEP measuring laboratories also met in October 2006 prior to the Measuring Sector meeting in Annapolis.

Julie Quinn (MN) reported that Minnesota is interested in becoming an NTEP-authorized laboratory for weighing devices evaluated in the field (e.g., weighing/load-receiving elements, such as vehicle, livestock, hopper). The state has begun to prepare for the required training. It was reported that some final details are now being worked out.

Steve Patoray reported that all the laboratories are now operating with full staff and have completed all equipment upgrades and physical moves and that there have been no other changes in the number of authorized laboratories.

During the 2007 NCWM Annual Meeting, the NTEP Committee Chair announced that Minnesota has been authorized by NCWM as a field laboratory to conduct evaluation on Weighing/Load Receiving Elements.

The NTEP director reported the NTETC Software Sector held its third meeting in May 2007 followed by a joint meeting of the NTEP weighing and measuring laboratories in Sacramento, California. The NTEP director also reported that the backlog in the NTEP labs is now below historical levels and is approximately 25 % below the peak backlog seen during the past year. NTEP continues to assign devices to the appropriate laboratory to distribute the evaluations more evenly and continue to reduce the backlog.

These developments are consistent with the continuing efforts of NTEP to improve the level of service and responsiveness to the industries it serves.

**Upcoming meetings:**

Grain Analyzer Sector	August 2007	Kansas City, Missouri
Weighing Sector	September 2007	Sacramento, California
Measuring Sector	October 2007	Little Rock, Arkansas

**NTEP Participating Laboratories and Evaluations Report**

<b>NTEP Application Statistics 10/01/06 - 06/15/2007</b>			
	<b>Previous Quarter</b>	<b>Current Quarter</b>	<b>Total To Date</b>
	10/01/2005 - 06/15/2006	10/01/2006 - 06/15/2007	10/01/2000 - 06/15/2007
Applications Processed	176	179	1649
Applications Completed	194	160	1422
New Certificates Issued	194	160	1523
Certificates Distributed to State Directors	218	154	1523
Certificates Posted to Website	196	164	4067
Current Active NTEP Certificates (12/31/2006)	-	-	1638
	<b>Average</b>	<b>Median</b>	
Time for NCWM to Assign an Evaluation	12	8	
Time for NCWM to Review a Draft Certificate	9	7	
Time for Complete Evaluation (Completed NCWM Assignments)	185	133	

**3. NTETC Sector Reports**

**Background:**

**Grain Analyzer Sector:** The NTETC Grain Analyzer Sector held a meeting in Kansas City, Missouri, August 23 - 24, 2006. A draft of the final summary was provided to the Committee for review and approval prior to the 2007 NCWM Interim Meeting.

The next meeting of the Grain Analyzer Sector is scheduled for August 2007 in Kansas City, Missouri. For questions on the current status of sector work or to propose items for a future meeting, please contact the sector technical advisors:

Diane Lee  
NIST WMD  
100 Bureau Drive, Stop 2600  
Gaithersburg, MD 20899-2600  
Phone: (301) 975-4405  
Fax: (301) 975-8091  
e-mail: diane.lee@nist.gov

Jack Barber  
J.B. Associates  
10349 Old Indian Trail  
Glenarm, IL 62536  
Phone: (217) 483-4232  
e-mail: jbarber@motion.net

**Measuring Sector:** The NTETC Measuring Sector met October 20 - 21, 2006, in Annapolis, Maryland. A draft of the final summary was provided to the NTEP Committee for review and approval during the 2007 NCWM Interim Meeting.

The next meeting of the Measuring Sector is scheduled for October 2007 in Little Rock, Arkansas, in conjunction with the Southern Weights and Measures Association's Annual Meeting. For questions on the current status of sector work or to propose items for a future meeting, please contact the sector technical advisor:

Richard Suiter  
NIST WMD  
100 Bureau Drive, Stop 2600  
Gaithersburg, MD 20899-2600

Phone: (301) 975-4406  
Fax: (301) 975-8091  
e-mail: rsuiter@nist.gov

**Weighing Sector:** The NTETC Weighing Sector met September 26 - 28, 2006, in Annapolis, Maryland. A final draft of the meeting summary was provided to the NTEP Committee for review and approval during the 2007 NCWM Interim Meeting.

The next Weighing Sector meeting is scheduled for September 2007 in Sacramento, California. For questions regarding the current status of sector work or to propose items for a future meeting, please contact the sector technical advisor:

Steven Cook  
NIST WMD  
100 Bureau Drive, Stop 2600  
Gaithersburg, MD 20899-2600

Phone: (301) 975-4003  
Fax: (301) 975-8091  
e-mail: stevenc@nist.gov

Steve Patoray reported that the previous year's sector reports could be found on the NCWM website. He also reported that, if contacted, he could supply anyone interested with all previous sector reports.

During the 2007 NCWM Annual Meeting, the NTEP Committee heard the 2007 NCWM Interim Report of each NTETC Sector. This was presented by Steven Cook, technical advisor, and Stephen Patoray, NTEP director. The NTEP Committee also heard and considered several other items recommended by the Multiple Dimension Measuring Device (MDMD) Work Group (WG) and the Automatic Weighing Systems (AWS) WG. In addition, one item related to the laboratory method of test for automatic zero-setting mechanism (AZSM) was also heard and considered. Several items regarding the taximeter checklist also were heard and considered.

All items submitted by the Weighing, Measuring, and Grain Analyzer Sectors were accepted with one exception. The NTEP Committee considered additional comments on the recommendation of the Weighing Sector to change the term "designation" to "identifier." Based on those comments and additional discussion on this item, the NTEP Committee determined the term "designation" currently in NCWM Publication 14 is more precise and the use of this word did not deviate from the intent of NIST Handbook 44.

Recommendations for changes to the NCWM Publication 14 taximeter checklist were also accepted. The review of the taximeter checklist indicated there may need to be a clarification in NIST Handbook 44 and NCWM

Publication 14 regarding taximeters with multiple rate capabilities. The NIST technical advisor will begin to gather information on this item and will keep all appropriate parties informed of any needed changes or clarifications.

The NTEP labs reported that the testing criteria listed in NCWM Publication 14 Digital Electronic Scales regarding Auto Zero-Setting Mechanism is not consistent with the method currently used by all of the authorized NTEP laboratories, Measurement Canada, or OIML R 76. It was the decision of the NTEP Committee that an *ad hoc* procedure be documented for the NTEP labs to reflect the current methods now being used. This item will be submitted to the Weighing Sector for consideration at the next regular meeting in September 2007.

#### **4. NTEP Participation in U.S. National Work Group on Harmonization of NIST Handbook 44, NCWM Publication 14, and OIML R 76 and R 60**

**Background:** The Secretariat for OIML TC 9/SC 1 recently submitted the 2 CD of OIML R 76-1 “Non-automatic Weighing Instruments” to the participating members of TC 9/SC 1 for review, comment, and vote. The 2 CD was developed based on an analysis of the 1992 edition OIML R 76, answers from OIML TC 9/SC 1 members to a questionnaire distributed in May 2002, and comments on the December 2003 WD for R 76. The 2 CD includes the changes to the December 2003 WD and the December 2004 1 CD based upon comments and recommendations of the U.S. National Work Group (USNWG) and other countries on R 76.

The United States submitted 27 recommendations and requests for clarifications to the secretariat of TC 9/SC 1 on the 1 CD and opposed the 1 CD being elevated to a Draft Recommendation. Eighteen of the U.S. recommendations and requests for clarification were accepted by the secretariat, four recommendations resulted in alternate language proposed by the secretariat, and five recommendations were not accepted by the secretariat. The Secretariat provided the United States with a reason why the remaining comments were not accepted.

The Secretariat has already registered the 2 CD of R 76-1 as a DR in order not to prolong the revision process at the technical committee level provided the 2 CD receives approval.

During the 2005 Annual Meeting, NIST WMD asked the USNWG for R 76 and other interested individuals, organizations, and associations to review the 2 CD and submit any comments, along with recommended language and technical justifications to NIST WMD. During the 2006 NCWM Interim Meeting, Steven Cook, NIST WMD, provided the committee with an update to the revision of R 76 and indicated that the United States would vote in favor of the 2 CD.

At its October 2006 meeting in Cape Town, South Africa, the 41<sup>st</sup> CIML approved DR 7: R 76-1 Non-automatic weighing instruments, Part 1: Metrological and technical requirements – Tests. The DoMC for R 76 will need to be updated to reflect the changes included in the new revision of R 76. Although the review of R 76 has been completed, OIML has indicated a willingness to revisit the Recommendation to consider including a large-capacity class similar to the current Handbook 44 Class III L and the Canadian Class III HD, plus other additional requirements that were identified in the DoMC deliberations. WMD will be working with its Canadian counterparts to develop a North American Heavy-Duty Device Class and Tolerance if R 76 is reopened.

#### **5. Software Sector**

**Background:** The first meeting of the Software Sector was April 5 - 7, 2006, in Annapolis, Maryland.

At this time, the recommended scope of the Software Sector is to:

- Develop a clear understanding of the use of software in today’s weighing and measuring instruments.
- Develop NIST Handbook 44 specifications and requirements, as needed, for software incorporated into weighing and measuring devices. This may include tools for field verification, security requirements, identification, etc.

- Develop NCWM Publication 14 checklist criteria, as needed, for the evaluation of software incorporated into weighing and measuring devices, including marking, security, metrologically significant functions, etc.
- Assist in the development of training guidelines for weights and measures officials in verifying software as compliant to applicable requirements and traceable to an NTEP Certificate. Educational material for manufacturers, designers, service technicians, and end users may also be considered.

**SOFTWARE SECTOR**  
**Meeting Summary**  
**Annapolis, Maryland**  
**April 5 - 7, 2006**

**Note:** Underlined "D-SW" sections refer to International Document (OIML D-SW) "General Requirements for Software Controlled Measuring Instruments."

**Action items:**

1. Software identification (model/version, help screen, etc.)
  - a. Built-for-purpose
  - b. Not-built-for-purpose
  - c. Version number or greater
2. Software protection/security D-SW 5.1.3
  - a. Identification of unapproved/unauthorized software
3. Storage of data, D-SW5.2.3 and subsections, automatic storing and transmission
4. Software maintenance and reconfiguration D-SW5.2.6
5. D-SW Section 7. verification in the field—needs work
6. Manufacturer documentation to be submitted, change to the NTEP application D-SW 6.1.1
7. Definitions of software-based device, etc.

The group agreed Jim Truex should continue on as Software Sector chairman. Mr. Truex asked Steve Patoray to continue on as technical advisor to the Software Sector. It was requested that NIST consider the role of technical advisor in the future as they currently do with other sectors.

The Software Sector met for a second time on October 18 - 19, 2006, in Annapolis, Maryland. Much discussion was held on the above action items. It was clear that additional work is needed to find consensus on these various items. Additional meetings are needed to complete the work of this Sector. There will be a request to the NCWM Board for additional funding for future meetings.

During the 2007 Interim Meeting, the NCWM BOD reviewed a request from the Software Sector Committee chair, Jim Truex, for funding an additional meeting of the Software Sector during the 2006 - 2007 fiscal year. After considering this item and the potential cost savings with holding the Software Sector meeting in conjunction with the NTEP Lab meeting in May 2007, the NCWM BOD agreed to fund this meeting and direct the Software Sector to begin meeting on a yearly cycle in conjunction with the NTEP lab meeting.

This item will be removed from future NTEP Committee reports. Further updates on the progress of the Software Sector will be found in the annual NTEP Sector Reports in the NCWM Interim Agenda and the Interim and Annual Reports of the sector to the NTEP Committee.

During the 2007 Interim Meeting, the Software Sector chair submitted a request for funding an additional meeting of the Software Sector in the fall of 2007. This request was considered and approved by the NCWM Board. The location and date of this meeting is yet to be determined.

The Software Sector report is included in this Annual Report as Appendix E.



## 6. Conformity Assessment Program

**Background:** The Conformity Assessment Program was established to ensure that devices produced after the device has been type evaluated and certified by NTEP continue to meet the same requirements. This program has three major elements: (1) Certificate Review (administrative), (2) Initial Verification (inspection and performance testing); and (3) Verified Conformity Assessment (influence factors). This item is included on the Committee's agenda to provide an update on these elements.

**Certificate Review:** The question is how this would be accomplished given the limited resources of the NCWM. Work on this item may need to be delayed until resources can be clearly identified in order to proceed in an efficient, thorough, and accurate manner.

Steve Patoray reported that this item continues on the "back burner" until funding can be identified for this project.

**Initial Verification:** During the 2007 NCWM Interim Meeting, the WG chairman, Lou Straub, received data from several states on small-capacity price computing scales and reported that the pilot of Initial Verification for small-capacity scales has been completed. There were several state and local jurisdictions that submitted information. All data has been forwarded to NCWM staff for safekeeping. It was also reported that Steve Malone, Nebraska, is working on a database format for logging in the data. In addition, Lou Straub reported that the WG continues to develop a checklist for vehicle scales and retail motor-fuel dispensers.

During the 2007 Annual Meeting, the WG chairman, Lou Straub, reported the WG is currently looking for direction from the NTEP Committee on how to proceed to the next step since they have completed work on the checklists for both vehicle scales and retail motor-fuel dispensers (RMFD). The WG has received some data for the vehicle scales checklist. The WG is seeking volunteers for RMFD at this time. Mr. Straub clarified that not all states or jurisdictions need to participate in submitting information to NCWM on initial verification. A subset of states would be sufficient. NTEP Committee chair, Don Onwiler, instructed the WG to proceed with development of additional checklists. The NTEP committee will also consider how to process the data that will be generated from initial verification.

**Verified Conformity Assessment Program (VCAP):** The WG chairman provided the NCWM Board with a final version of the WG report at the 2006 NCWM Annual Meeting. This report will form the basis of the technical policy. Additional work will be needed. Steve Patoray reported that the NCWM Board at its October 2006 meeting directed him to form a small WG to develop the necessary details to define the program based on the final report of the VCAP WG. Steve reported that the WG had met one time and had identified seven action items. The information will be developed over the next several months and will be sent to others for comment and review. It was reported that the WG plans to make a formal presentation on its progress at the NCWM Annual Meeting in 2007.

During the 2007 Annual Meeting, NTEP Director, Steve Patoray, reported that further meetings of the WG did not occur. He further explained that, based on additional information the WG received, the initial direction of developing a detailed checklist for VCAP was not the correct direction. With this new insight, actual progress on VCAP should begin over the next several months with development of final material based on the current information available and some additional information regarding the selection of a certified auditor. Mr. Patoray anticipates that beta testing of VCAP will take place over the next several months and a report will be given on the status at the Interim Meeting in January 2008.

## 7. NTEP Certification of Residential-type Water and Vapor Meters

**Background:** A request was received from one state for NTEP to conduct evaluations and certify residential-type water meters and vapor meters. The main usage of such devices is in sub-metering. A discussion was held on this item at the Measuring Sector meeting in October 2006. There was insufficient representation from the manufacturers of these types of devices to come to a consensus on this item; however, two WGs were formed consisting of interested parties regarding these device types. The Sector chairman, Mike Keilty, wrote a letter to be

sent to device manufacturers of these device types with a request for comments, recommendations, and additional information on sub-metering standards and policies from other agencies and municipalities.

At the 2007 NCWM Interim Meeting, Steve Patoray reported that these items were discussed at the most recent Measuring Sector meeting in October 2006. Mike Keilty, Measuring Sector Chair, reported that he had begun to contact interested parties and other associations interested in this type of certification. Comments during the open hearing during the meeting suggested that NTEP might also need to be concerned with other federal or state agencies that may also regulate these types of devices. The Measuring Sector will continue to work on this item.

The NTEP Committee reported that this item will be removed from its agenda, but information may be found in future Measuring Sector reports.

During the 2007 NCWM Annual Meeting, the NTEP Committee agreed on the following position regarding the evaluation of water meters:

Due to the need for certification of these types of devices in sub-metering applications, NTEP should proceed with development of a checklist for these types of devices. It has been noted that California currently has checklists for both of these device types and has many years of experience certifying these devices at the state level. NTEP will utilize these current checklists as much as possible in developing checklists for Publication 14.

The NTETC Measuring Sector chair, Michael Keilty, reported to the NTEP Committee that he has been in contact with the American Waterworks Association (AWWA) and has attended a recent meeting of this organization. He has passed along information regarding NCWM and NTEP, along with contact information, to this organization.

## **8. Use of NTEP Logo**

**Background:** The NTEP logo is a registered trademark of the NCWM. NCWM Publication 14 Administrative Policy provides some parameters on the appropriate use of the logo. Over the past several months, NTEP has been attempting to resolve an issue of misuse of the NTEP logo. During this time, the NTEP Committee and the NCWM Board have discussed developing a systematic method of addressing misuse of the NTEP logo in the future. A WG was formed during the 2006 Annual Meeting with the charge to develop draft form letters that could be used by NTEP to inform anyone believed to be misusing the NTEP logo. Additionally, NCWM staff was directed by the Board to obtain advice from legal counsel as to the appropriate methods of deterring misuse of the logo. Legal counsel recommended that a license agreement be implemented between the NCWM and anyone wishing to use the NTEP logo. This agreement would provide allowances and limitations on the use of the logo. The license agreement, along with form letters drawn up by legal counsel, was submitted to the NCWM Board for discussion. The Board has recognized that this change in policy relating to the use of the NTEP logo is significant. Therefore, the NTEP Committee presented the proposed license agreement for review and requested comments from NCWM membership during the 2007 Interim Meeting. A draft copy of the license agreement can be found in Appendix A.

During the NCWM Interim Meeting, the NCWM Board and NTEP Committee reported they received and reviewed several comments, suggestions, and questions submitted prior to the NCWM Interim Meeting. These questions and comments were forwarded to legal counsel for review and comment. The comments from legal counsel were all forwarded to the BOD members for review. Several comments were heard by the NTEP Committee during the open hearings. All of these comments were considered and discussed fully.

One suggestion was that the act of agreeing to NTEP policy for use of the NTEP logo could be incorporated into the application for an NTEP evaluation rather than signing a separate license agreement. The NTEP Committee agreed this approach would be much simpler, but that it only addressed holders of NTEP CCs and would apply only to a single CC. After additional discussion and suggestions from members, the NTEP Committee decided to use the invoice for annual maintenance fees as the vehicle to reaffirm agreement by holders of CCs to adhere to NTEP policy for use of the logo. No additional fees will be applied. For those who do not hold an active CC, but still wish to use the NTEP logo, they will be required to sign a license agreement. A one-time fee will be assessed to non-holders of certificates to obtain the privilege to use the NTEP logo in the marketing of goods or services. The amount of the fee is yet to be determined.

Additional work will be required for the NCWM BOD to review and approve the final language of the NTEP Logo License Agreement. This additional work will take place at the BOD meeting in May 2007. Appendix A provides information on current proposed changes to the NTEP Administrative Policy, a list of questions about the license agreement from the BOD with response from counsel, an amended license agreement, and a list of questions from an NCWM member with responses from counsel.

Note: There may be additional changes to NCWM Publication 14 Administrative Policy based on the input from the members at the NCWM Interim Meeting and advice of counsel to implement these suggestions.

During the open hearings of the 2007 NCWM Annual Meeting, the NTEP Committee presented the "NTEP Logo Usage Guideline" to the membership for comment. The final document, approved by the NTEP Committee, is below:

### **NTEP Logo Usage Guideline**

The NTEP Logo is much more than a certification mark - it is the public face of our organization. It is a mark that clients covet and consumers seek out. It is a powerful symbol, which represents both a company's concern and regard for its consumers, and recognition that the device type has demonstrated the capability of meeting the requirements of NIST Handbook 44.

#### **A. Use the NTEP Logo**

Manufacturers use the NTEP Logo to demonstrate to clients their commitment to meeting the requirements of NIST Handbook 44.

1. The NTEP Logo increases the acceptance of your product or service. Your clients, potential clients, regulators, retailers, and dealers are all more inclined to accept products, advertising and promotion that bear the NTEP Logo.
2. The NTEP Logo builds confidence and trust in your product. When your clients see the NTEP Logo on your product or in an advertisement, they know that the product has been evaluated by a third-party, non-biased organization and has successfully demonstrated its capability to meet the requirements of NIST Handbook 44.
3. The NTEP allows for easier entry into new markets. Whether it is a new industry segment or a new international market, the NTEP Logo on product packaging, advertising and literature makes it easier to reach potential clients.
4. The NTEP Logo provides a faster communications tool. The challenge for any company is to communicate product performance quickly and effectively. The NTEP Logo is one tool that does this. It is a small mark with a giant message.
5. The NTEP Logo reassures clients. Per NIST Handbook 44, NTEP Certified devices must be identified with the NTEP CC Number, Make, Model and Serial/Version Number.

#### **B. Language Guidelines**

An Explanation of the NTEP Logo will help clarify the meaning of "NTEP Certified." Effective use of the NTEP Logo in advertising and promotional materials is a matter of repetitive and consistent visual design. Following these guidelines allows you to reinforce the importance of NTEP Certification and gain valuable benefits for your organization in the marketplace.

Please consult the NTEP Director or NCWM Headquarters for guidance on specific products.

**Acceptable/Unacceptable-Preferred Language for Use with the NTEP Logo in Advertising or Promotional Materials**

Note: The "C" in "Certified" and in "Certification" should be capitalized when used immediately before or after NTEP and when referring to NTEP Certification.

**Acceptable Preferred Language: (in addition to that found in NCWM Publication 14 *Administrative Policy*)**

NTEP Certified

NTEP Certification

NTEP CC

Certified by NTEP

Evaluated and Certified by NTEP

ABC's (company) product is eCertified by NTEP to applicable requirements of NIST Handbook 44.

**Unacceptable Language**

~~NTEP Approved~~

~~Approved by~~

~~Verified by~~

~~Seal or Seal of Approval~~

~~Meets NTEP requirements~~

~~Legal for Trade or LFT~~

~~Best in Class~~

~~Implying NCWM, Inc. or NTEP are government agencies/organizations~~

**C. Guidelines for Literature and Advertising**

**NOTE:** Whenever the NTEP Logo or language related to NTEP is used, NCWM suggests that the applicable NTEP Certificate of Conformance Number (NTEP CC) be provided.

For use on letterhead, business cards, placards, print ads, Internet, and other promotional materials.

**Size**

For visibility and legibility, it is recommended that the NTEP Logo be reproduced no smaller than 3/8 inches (.9525 cm) in diameter in print materials.

**Position**

The NTEP logo should not be angled or rotated

**Visibility**

The NTEP Logo shall not be cropped. The mark must be 100 % visible and the NTEP letters must be legible.



**NOT ACCEPTABLE**

The mark shall not appear in a manner that may directly or indirectly represent non-certified products/systems as Certified by NTEP.

**Color Options**

The NTEP Logo comes in two versions:



**Black and White**

The NTEP Logo may appear White and Black

**Screen**

The black and white NTEP Logo can be screened back in color if desired. *(this may need an example)*

Or



**Color**

The Pantone colors are Pantone Black, Pantone Red 032, Pantone Yellow 018

No variations in the color scheme are allowed.

No other color schemes or styles are acceptable.

Photo ready artwork is available from NCWM Headquarters.

**Additional Guidelines:**

1. These NTEP Logo guidelines apply when using the NTEP Logo directly on a product.
2. Please contact the NTEP Director if you have questions regarding the use of the NTEP Logo on a specific product line.
3. The NTEP logo is a registered trademark of NCWM, INC. No company or person shall apply or use the NTEP Logo or language related to NTEP in connection with a product or represent in any way that the product is certified until an NTEP Certificate of Conformance is issued for that device. NCWM may pursue legal recourse if the mark is misused.
4. Rectangular Box under the NTEP Logo: When it is necessary to explain details regarding a specific certification, or include the NTEP CC Number, a rectangular box **shall may** be placed under the NTEP Logo.

The examples below demonstrates use of a rectangular box.

Size Text in proportion to the NTEP Logo.



**Specifications for text in the box:**

Font: Text in the box should be Arial bold and legible

Gotham may be substituted for Arial

Color: Black

Box Dimensions: Typically, the text in the box should not exceed the diameter of the circle

NTEP CC yy-yyyA1

*Changes to information in the current Content of NCWM Publication 16*

*Changes to recommended revisions to NTEP Policies*

Page NTEP – A3

C. Section U.2 Permissible Use of Statements and NTEP Logo – revise paragraph “b” to state,

b. The NTEP statement or logo shall only be used by person(s) or organization(s) that have been granted a license by NCWM to use the statements and logo. All holders of Certificates of Conformance and companies that distribute goods that include certified devices may apply for a license. ~~The license is provided without fee or royalty.~~ All licensees must use the statements and logo only in conjunction with products that have been certified in accordance with this publication and NIST Handbook 44. The statement or logo shall never be used in any manner that could suggest or imply that certification extends to a product that is not NTEP certified.

Page NTEP – A4

NCWM, in its sole discretion, determines whether its certified mark and statements are properly used in conformance with the license agreement and these policies. Direct questions to the NTEP Director or refer to the NTEP Logo Use Guideline at [www.ncwm.net](http://www.ncwm.net).

After the final section, add the following sentence:

There will be the need to add a reference to Appendix B. of the NCWM Publication 14 Administrative Policy regarding the license fee that will be charged to non-holders of NTEP CC's.

*Changes to the Agreement*

Page NTEP – A9

**3. License requirements and limitations.** The license granted in section 1 is granted subject to the following requirements and limitations:

**a. Compliance with the NCWM National Type Evaluation Program Administrative Policy, Publication 14 (“Publication 14”).** Licensee shall comply with all requirements in Publication 14, as currently existing or later revised. Licensee is solely responsible for keeping itself informed of the current requirements in Publication 14 by reviewing from time to time the information posted on the NCWM website.

Page NTEP – A10

**4. License fees and royalties.** This license is granted NCWM reserves the right to charge fees or royalties in the future.

Wording has not been finalized for this section. The section will contain information stating that current NTEP CC holders will have no fee or royalty. It will further state that non-holders of NTEP CC's will be charged a one-time license fee for use of the NTEP logo.

Note: A separate document containing answers to frequently asked questions is currently under development and will be posted to the NCWM website when complete.

**New Item:**

**9. NTEP Certification of Medical Scales**

The NTEP Committee reported that they had received a request from a manufacturer for NTEP to certify weighing instruments used in the medical field. After discussing this item, the NTEP Committee determined this may be an area for NTEP to consider. Several issues related to these types of devices were discussed briefly, and it was quickly determined that it would be best to instruct the Weighing Sector to begin to review this device type and contact interested parties and other agencies interested in these types of devices. The manufacturer informed the NTEP Committee chair that it will contact other interested parties and will report to the Weighing Sector at the next meeting in September 2007.

This item will not appear in future NTEP Committee agendas but will be reported in the Weighing Sector Summaries.

During the 2007 NCWM Annual Meeting, the NTEP Committee discussed the request and was interested in the concept of providing type evaluation certification for medical weighing devices. The NTEP Committee needs to know if the medical industry wants a standard to reference for these types of devices. The NTEP Committee does not foresee inspection of medical devices by weights and measures officials. One concept would be to provide a unique class marking for medical scales, separating them from commercial devices. This would clarify for the inspector that these devices are not NTEP certified for "commercial" use and are limited to use in the healthcare industry.

This item is presented simply as a concept item. Any further development will be upon the initiative of the manufacturers.

---

Don Onwiler, Nebraska, NTEP Committee Chair

Mike Cleary, California, NCWM Chair  
Judy Cardin, Wisconsin, NCWM Chair-Elect  
Charles Carroll, Massachusetts  
Randy Jennings, Tennessee

NTEP Technical Advisor: S. Cook, WMD  
NTEP Technical Advisor: S. Patoray, NTEP Director

**National Type Evaluation Program Committee**

THIS PAGE INTENTIONALLY LEFT BLANK